

LIT-124/GCD 98-25 N00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Hodgson, et al.

EXAMINER: Audrey Y. Chang

#9/B

SERIAL NO.: 09/824,119

GROUP: 2872

FILED: 04/02/2001

DOCKET: LIT-124/GCD 98-25 N00

Audrey
J. Brill

TITLE:

ARCHITECTURE FOR LARGE OPTICAL FIBRE ARRAY USING
STANDARD 1x2 COUPLERS

6/17/02

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile transmission to Box RCE, Assistant Commissioner for Patents, Group Art Unit 2872, Attention: Examiner Audrey Y. Chang, Washington, D.C. 20231, at fax number (703) 872-9318, on June 6, 2002.

Robert J. Brill
Robert J. Brill
Attorney for Applicants
Reg. No. 36,760

Date of Signature: June 6, 2002

Box RCE
Assistant Commissioner for Patents
Group Art Unit 2872
Attention: Examiner Audrey Y. Chang
Washington, D.C. 20231
Fax Number (703) 872-9318

FAX COPY RECEIVED

JUN 6 2002

TECHNOLOGY CENTER 2800

RESPONSE TO FINAL OFFICE ACTION

Dear Sir:

This paper is filed in response to the final Office Action mailed March 6, 2002 in connection with the above-designated application. A response to the Office Action is due June 6, 2002. Therefore, this Response is timely filed.

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1006.00)

Complete if Known

| | |
|----------------------|-----------------------|
| Application Number | 09/824,119 |
| Filing Date | 04/02/2001 |
| First Named Inventor | Hodgson |
| Examiner Name | Audrey Y. Chang |
| Group Art Unit | 2872 |
| Attorney Docket No. | LIT-124/GCD 98-25 N00 |

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
 Deposit Account Number **60-1941**
 Deposit Account Name **Grossman, Patti & Brill**
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status. See 37 CFR 1.27
2. Payment Enclosed:
 Check Credit card Money Order Other

FEE CALCULATION (continued) COPY RECEIVED

3. ADDITIONAL FEES

JUN 6 2002

Fee Paid

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee (\$) | Fee Code (\$) | Fee (\$) | Fee Description | TECHNOLOGY CENTER 2800 |
|-------------------------------|-------------------------------|-------------|------------------|-------------|--|------------------------|
| 105 | 130 | 205 | 85 | 85 | Surcharge - late filing fee or cover sheet | |
| 127 | 50 | 227 | 25 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 130 | 130 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | 112 | 920* | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | 50 | Processing fee under 37 CFR 1.17(a) | |
| 126 | 180 | 126 | 180 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 681 | 40 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 | 370 | Request for Continued Examination (RCE) | 740.00 |
| 169 | 900 | 169 | 900 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) | Statutory Disclaimer | | | | | 110.00 |

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|-----------------|---------------|
| 101 | 740 | 201 | 370 |
| 106 | 330 | 206 | 165 |
| 107 | 510 | 207 | 255 |
| 108 | 740 | 208 | 370 |
| 114 | 160 | 214 | 80 |
| SUBTOTAL (1) (\$) | | | 156.00 |

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|-------------------|
| Independent Claims | 24 | -20** = 4 | 4 x 16.00 = 16.00 |
| Multiple Dependent | 4 | -3** = 1 | 1 x 34.00 = 34.00 |
| | | | 156.00 |

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | |
|--------------------------|---------------|-----------------|-----|
| 103 | 18 | 203 | 9 |
| 102 | 84 | 202 | 42 |
| 104 | 280 | 204 | 140 |
| 109 | 84 | 209 | 42 |
| 110 | 18 | 210 | 9 |
| SUBTOTAL (2) (\$) | | 156.00 | |

**or number previously paid, if greater. For Reissues, see above.

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 850.00)

SUBMITTED BY

| | | |
|-------------------|---|-------------------------|
| Name (Print/Type) | Robert J. Brill | Complete if applicable |
| Signature |  | Registration No. 36,760 |
| | | Telephone 312-346-2800 |
| | | Date 06/06/2002 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

#8

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

| | |
|------------------------|-----------------------|
| Application Number | 09/824,119 |
| Filing Date | 04/02/2001 |
| First Named Inventor | Hodgson |
| Art Unit | 2872 |
| Examiner Name | Audrey Y. Chang |
| Attorney Docket Number | LIT-124/GCD 98-25 N00 |

JM
J. M. Weller
6/6/02

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

a. Previously submitted

i. Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).

ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 Other _____

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b. Enclosed

i. Amendment/Reply

iii. Information Disclosure Statement (IDS)

ii. Affidavit(s)/Declaration(s)

iv. Other _____

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2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required).

b. Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1941

i. RCE fee required under 37 CFR 1.17(e)

ii. Extension of time fee (37 CFR 1.138 and 1.17)

iii. Other _____

b. Check in the amount of \$ _____ enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)

Robert J. Brill

Registration No. (Attorney/Agent)

36,760

Signature

Date

June 6, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)

Robert J. Brill

Signature

Date

June 6, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND COMPLETED FORMS TO THE FOLLOWING ADDRESS: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|--|-----------|-----------------------|
| APPLICANTS: | Hodgson, et al. | EXAMINER: | Audrey Y. Chang |
| SERIAL NO.: | 09/824,119 | GROUP: | 2872 |
| FILED: | 04/02/2001 | DOCKET: | LIT-124/GCD 98-25 N00 |
| TITLE: | ARCHITECTURE FOR LARGE OPTICAL FIBRE ARRAY USING STANDARD 1x2 COUPLERS | | |

TRANSMITTAL LETTER

Box RCE

Assistant Commissioner for Patents
Group Art Unit 2872Attention: Examiner Audrey Y. Chang
Washington, D.C. 20231
Fax Number (703) 872-9318**FAX COPY RECEIVED****JUN 6 2002**

TECHNOLOGY CENTER 2800

Dear Sir:

Enclosed are the following documents pertaining to the above-referenced case:

Request for Continued Examination Transmittal Form PTO/SB/30
Fee Transmittal Form PTO/SB/17 (in duplicate)
Terminal Disclaimer to Obviate A Double Patenting Rejection Over a Prior
Patent PTO/SB/26
26-page Response to Final Office Action

Please contact the undersigned with any questions. In the event of non-payment or
improper payment of a required fee, the Commissioner is hereby authorized to charge or
credit the Grossman, Patti & Brill Deposit Account No. 50-1941 as required to correct the
error. A duplicate copy of this letter is enclosed for fee purposes.

CERTIFICATE OF FACSIMILE TRANSMISSION

Respectfully submitted,

Robert J. Brill
Reg. No. 36,760Robert J. Brill
Grossman, Patti & Brill
Customer Number 32205

I hereby certify that this correspondence is being sent
via facsimile transmission to Box RCE, Assistant
Commissioner for Patents, Group Art Unit 2872,
Attention: Examiner Audrey Y. Chang,
Washington, D.C. 20231, at fax number
(703) 872-9318, on June 6, 2002.

Robert J. Brill

June 6, 2002